



01-10-05
Attorney's Docket No.: 17084-004006/402E
IFW RCE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Gyula Hadlaczky, et. al
Serial No. : 09/724,726
Filed : November 28, 2000
Conf. No. : 7776
Title : ARTIFICIAL CHROMOSOMES, USES THEREOF AND METHODS FOR PREPARING ARTIFICIAL CHROMOSOMES
Art Unit : 1638
Examiner : Georgia Helmer
Cust No. : 20985

MAIL STOP RCE

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL LETTER

Dear Sir:

Transmitted herewith are a Preliminary Amendment in Response to the Final Office Action, mailed August 12, 2004, a Request for Continued Examination (RCE), a check (\$620) for the requisite fee for a two-month extension of time and for filing an RCE, a Declaration under 37 C.F.R. § 1.132, an Information Disclosure Statement, PTO-1449 form, cited references and a return postcard in connection with the above-captioned patent application. If a Petition for extension of time is needed, this paper is to be considered such Petition.

Extension fee for a two-month extension of time and fee for filing an RCE:

☒ By a small entity.....\$620 (\$225 + \$395)

☒ The Commissioner is hereby authorized to charge the fee for the extension of time and any other fee that may be due in connection with this and the attached papers or with this application during its entire pendency to Deposit Account No. 06-1050. A duplicate of this sheet is enclosed.

01/12/2005 LWONDIM1 00000022 09724726

02 FC:2252

225.00 DP

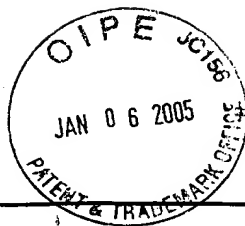
Respectfully submitted,

Stephanie Seidman
Reg. No. 33,779

Attorney Docket No. 17084-004006/402E
Address all correspondence to:
Stephanie L. Seidman
Fish & Richardson P.C.
12390 El Camino Real
San Diego, California 92130
Telephone: (858) 678-5070
Facsimile: (202) 626-7796
email: seidman@fr.com

CERTIFICATE OF MAILING BY "EXPRESS MAIL"
"Express Mail" Mailing Label Number EV 471530104 US
Date of Deposit January 6, 2005
I hereby certify that this paper is being deposited with the United States Postal "Express Mail Post Office to Addressee" Service under 37 CFR §1.10 on the date indicated above and is addressed to: Commissioner for Patents, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA, 22313-1450.

Stephanie Seidman



**Request
For
Continued Examination (RCE)
Transmittal**

Address to:
Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

<i>Application Number</i>	09/724,726
<i>Filing Date</i>	November 28, 2000
<i>First Named Inventor</i>	Gyula Hadlaczky, et. al
<i>Group Art Unit</i>	1638
<i>Examiner Name</i>	Georgia Helmer
<i>Customer Number</i>	20985
<i>Attorney Docket Number</i>	17084-004006/24601-402E

This is a Request for Continued Examination (RCE) under 37 C.F.R. §1.114 of the above-identified application.

1. Submission required under 37 C.F.R. §1.114

- a. ☐ Previously submitted
- i. ☐ Consider the amendment/reply under 37 C.F.R. 1.116 previously filed on _____
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
- iii. ☐ Other _____
- b. ☒ Enclosed
- i. ☒ Amendment/Reply: Preliminary Amendment
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☒ Information Disclosure Statement (IDS) PTO-1449 form and cited references
- iv. ☒ Other Declaration 3 under 37 C.F.R. § 1.132 of Dr. Fabijanski

2. Miscellaneous

- a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. §1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. §1.17(i) required)
- b. ☐ Other _____

3. Fee The RCE fee under 37 C.F.R. §1.17(e) is required by 37 C.F.R. §1.114 when the RCE is filed.

- a. ☒ The Director is hereby authorized to charge any fees, including those set forth below, or credit any overpayments, to Deposit Account No. 06-1050. A duplicate of this sheet is enclosed.
- i. ☒ RCE fee required under 37 CFR 1.17(e)
- ii. ☒ Extension of time fee (37 CFR 1.136 and 1.17)
- iii. ☒ Other Any deficiencies
- b. ☒ Check in the amount of \$ 620 enclosed: RCE fee (\$395) and 2 month extension fee (\$225) for small entity
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

SIGNATURE OF APPLICANT, ATTORNEY OR AGENT REQUIRED

<i>Name (Print/Type)</i>	Stephanie Seidman	<i>Registration No. (Attorney/Agent)</i>	33,779
<i>Signature</i>		<i>Date</i>	January 6, 2005

CERTIFICATE OF MAILING BY "EXPRESS MAIL"

I hereby certify that this paper and any attached papers are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" under "Express Mail" Mailing Label Number EV 471530104 US in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

<i>Name (Print/Type)</i>	Stephanie Seidman	<i>Date</i>	January 6 2005
<i>Signature</i>			

01/12/2005 LWONDIM1 00000022 09724726

01 FC:2801

395.00 DP



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Gyula Hadlaczky, *et al.* Art Unit : 1638
Serial No. : 09/724,726 Examiner : Georgia Helmer
Filed : November 28, 2000 Cust No. : 20985
Conf. No. : 7776
Title : ARTIFICIAL CHROMOSOMES, USES THEREOF AND METHODS FOR
PREPARING ARTIFICIAL CHROMOSOMES

MAIL STOP RCE

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**PRELIMINARY AMENDMENT AND
REQUEST FOR CONTINUED EXAMINATION (RCE)**

Dear Sir:

This Preliminary Amendment, which is responsive to the Final Office Action, mailed August 12, 2004, is filed in connection with a Request for Continued Examination. Entry of the following amendments and consideration of the following remarks are respectfully requested.

Amendments to the claims are reflected in the listing of the claims, which begins on page 2 of this paper.

Remarks/Arguments begin on page 3 of this paper.

A Declaration under 37 C.F.R. § 1.132 is provided herewith.

CERTIFICATE OF MAILING BY "EXPRESS MAIL"

"Express Mail" Mailing Label Number **EV 471530104 US**

Date of Deposit **January 6 2005**

I hereby certify that this paper is being deposited with the United States Postal "Express Mail Post Office to Addressee" Service under 37 CFR § 1.107 on the date indicated above and is addressed to: Commissioner for Patents, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA, 22313-1450.

Stephanie Seidman